

MAR 01 2007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re. application of:

Application No.: 10/700,071

Applicant: Robert D. Bjornson, et al.

Filed: 11/03/2003

Title: Method And Apparatus For High-  
Performance Sequence Comparison

Examiner: Uyen T. Le

Art Unit: 2163

Docket No.: 053706-5001-01

Mail Stop Petitions

Attn: Ms. Nancy Johnson

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**Re: Petition To Expedite Review Of  
"Petition For Revival of an Application For Patent Abandoned  
Unintentionally"**

Dear Ms. Johnson:

Further to our phone conversation on Feb. 28, 2007 with reference to the above-referenced petition, attached please find the following documents:

1. Amended "Petition To Expedite Review Of Petition For Revival of an Application For Patent abandoned Unintentionally" identifying TurboWorx, Inc. as the assignee of patent application 10/700,071, on whose behalf this Petition To Expedite is being filed;
2. Revocation Of Power of Attorney With New Power Of Attorney, Form PTO/SB/82, from TurboWorx, Inc., the assignee of application no. 10/700.071;
3. Statement Under 37 CFR 3.73(b), Form PTO/SB/96, from TurboWorx, Inc., the assignee of application no. 10/700.071;
4. Patent Assignment Abstract of Title for patent no. 6,691,109, the parent patent of application no. 10/700,071 under which all continuation applications (such as application 10/700,071) are assigned to TurboWorx, Inc.

Respectfully submitted,

\_\_\_\_\_  
Date*A. Tankha*Ashok Tankha, Esq.  
Attorney For Applicant  
Reg. No. 33,802  
Phone: 856-266-5145

**Correspondence Address****Of Counsel, Lipton, Weinberger & Husick****36 Greenleigh Drive, Sewell, NJ 08080****E-mail: ash@iprocurement.com**

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**Petition To Expedite Review of  
"Petition For Revival of an Application For Patent Abandoned Unintentionally"**

Applicant TurboWorx, Inc. herewith petitions the Commissioner to expedite the review of the "Petition For Revival of an Application For patent Abandoned Unintentionally Under 37 CFR 1.137(b), Form PTO/SB/64" filed as an attachment in the response to the office action dated 5/15/2006 for the above-referenced patent application.

This petition to expedite is filed on behalf of TurboWorx, Inc., the assignee of the above referenced patent application, to more precisely identify the patent assets of TurboWorx, Inc. including the above referenced patent application, which is in the process of being purchased by DKR Soundshore Oasis Holding Co., the secured creditor of the assets of TurboWorx, Inc.

Patent application 10/700,071 is a continuation of US patent no. 6,691,109. US patent no. 6,691,109 and continuation applications thereof including continuation application 10/700,071 have been assigned to TurboWorx, Inc. Attached is the patent Assignment Abstract of Title for US patent no. 6, 691, 109.

The next bankruptcy court hearing is scheduled in the United States Bankruptcy Court, Southern District of New York, Manhattan, NY, case no. 06-11074 (SMB) on March 6, 2007. Revival of the above referenced patent application will allow TurboWorx's patent portfolio to be assessed and sold to DKR Soundshore Oasis Holding Co. on March 6, 2007.

Please fax the decision regarding the grant/denial of the above petition to 856-374-0246.

Respectfully submitted,

Mar 1, 07  
Date

A. Tankha  
Ashok Tankha, Esq.  
Attorney For Applicant  
Reg. No. 33,802  
Phone: 856-266-5145

Correspondence Address  
Of Counsel, Lipton, Weinberger & Husick  
36 Greenleigh Drive, Sewell, NJ 08080  
E-mail: ash@ipprocurement.com

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Assignments on the Web > Patent Query

### Patent Assignment Abstract of Title

**NOTE: Results display only for issued patents and published applications.  
For pending or abandoned applications please consult USPTO staff.**

**Total Assignments: 3**

**Patent #:** 6691109 **Issue Dt:** 02/10/2004 **Application #:** 09814056 **Filing Dt:** 03/22/2001  
**Publication #:** US20020194173 **Pub Dt:** 12/19/2002  
**Inventors:** Robert D. Bjornson, Nicholas J. Carrero, Andrew H. Sherman, Stephen B. Weston et al  
**Title:** METHOD AND APPARATUS FOR HIGH-PERFORMANCE SEQUENCE COMPARISON

**Assignment: 1**

**Reel/Frame:** 011769/0875 **Recorded:** 05/02/2001 **Pages:** 4

**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

<b>Assignors:</b> BJORNSON, ROBERT D.	<b>Exec Dt:</b> 03/26/2001
CARRERO, NICHOLAS J.	<b>Exec Dt:</b> 03/26/2001
SHERMAN, ANDREW H.	<b>Exec Dt:</b> 03/26/2001
WESTON, STEPHEN B.	<b>Exec Dt:</b> 03/26/2001
WING, JAMES E.	<b>Exec Dt:</b> 03/26/2001

**Assignee:** TURBOGENOMICS, INC.  
ONE CENTURY TOWER, 265 CHURCH STREET  
NEW HAVEN, CONNECTICUT 06510

**Correspondent:** MORGAN, LEWIS & BOCKIUS LLP  
REID G. ADLER  
1800 M STREET  
WASHINGTON, DC 20036

**Assignment: 2**

**Reel/Frame:** 015008/0720 **Recorded:** 03/01/2004 **Pages:** 2

**Conveyance:** CERTIFICATE OF AMENDMENT OF CERTIFICATE OF INCORPORATION

**Assignor:** TURBOGENOMICS, INC. **Exec Dt:** 08/30/2002

**Assignee:** TURBOWORX, INC.  
3 ENTERPRISE DRIVE  
SHELTON, CONNECTICUT 06484

**Correspondent:** MORGAN, LEWIS & BOCKIUS LLP  
DANIEL H. GOLUB  
1701 MARKET STREET  
PHILADELPHIA, PA 19103

**Assignment: 3**

**Reel/Frame:** 016026/0158 **Recorded:** 05/18/2005 **Pages:** 39

**Conveyance:** SECURITY AGREEMENT

**Assignor:** TURBOWORX, INC. **Exec Dt:** 05/06/2005

**Assignee:** DKR SOUNDSHORE OASIS HOLDING FUND LTD.

1281 E MAIN STREET  
C/O DKR CAPITAL PARTNERS L.P.  
STAMFORD, CONNECTICUT 06902

**Correspondent:** THOMSON & THOMSON  
1750 K STREET, NW  
SUITE 200  
WASHINGTON, DC 20006

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PTO/SB/02 (01-06)  
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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS</b>	Application Number	10700071
	Filing Date	11/03/2003
	First Named Inventor	Robert D. Blomson
	Art Unit	2183
	Examiner Name	Uyen T. Le
	Attorney Docket Number	053706-5001-01

I hereby revoke all previous powers of attorney given in the above-identified application.

☒ A Power of Attorney is submitted herewith.

OR

☐ I hereby appoint the practitioners associated with the Customer Number:

☒ Please change the correspondence address for the above-identified application to:

☐ The address associated with Customer Number:

OR


<input checked="" type="checkbox"/> Firm or Individual Name	Ashok Tardha Of Counsel, Lipton, Weinberger & Husick		
Address	36 Greenleigh Drive		
City	Sewell	State	NJ Zip 08080
Country	USA		
Telephone	856-286-5148	Email	ash@ipprocurement.com

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/06)

**SIGNATURE of Applicant or Assignee of Record**

Signature			
Name	Sri Chari		
Date	March 1, 2007	Telephone	203-205-0705

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 9 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: TurboWork, Inc.Application No./Patent No.: 10/700,071 Filed/Issue Date: 11/03/2003Entitled: Method And Apparatus For High-Performance Sequence Comparison

TurboWork, Inc. a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

In the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011769 Frame 0876 or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

[Signature]  
Signature  
Bini Chari  
Printed or Typed Name  
Chief Executive Officer  
Title

March 1, 2007  
Date  
202-206-0706  
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.